

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA

Plaintiff,

-v-

ANTHONY BISSACCO,

Defendant.

Case No. 3:06-cr-174
(Civil Case No. 3:12-cv-018)

Judge Thomas M. Rose
Magistrate Judge Michael J. Newman

ENTRY AND ORDER OVERRULING BISSACCO'S OBJECTIONS (Doc. #635) TO THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS; ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS (Doc. #631) IN ITS ENTIRETY; DENYING BISSACCO'S § 2255 MOTION WITH PREJUDICE; DENYING ANY REQUESTED CERTIFICATE OF APPEALABILITY AND DENYING LEAVE TO APPEAL *IN FORMA PAUPERIS*

This matter comes before the Court pursuant to pro se Defendant Anthony Bissacco's ("Clayton's") Objections (doc. #635) to Magistrate Judge Michael R. Newman's Report and Recommendations (doc. #5). Magistrate Judge Newman's Report and Recommendations recommends that Bissacco's § 2255 Motion To Vacate (doc. #615) be denied with prejudice and that Bissacco be denied a certificate of appealability and *in forma pauperis* status on appeal

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court finds that Bissacco's Objections to the Magistrate Judge's Report and Recommendations are not well-taken, and they are hereby OVERRULED. The Magistrate Judge's Report and Recommendations is adopted in its entirety.

Bissacco's § 2255 Motion To Vacate is denied with prejudice. Further, because

reasonable jurists would not disagree with this conclusion and an appeal would not be taken in objective good faith, Bissacco is denied any requested certificate of appealability and *in forma pauperis* status on appeal.

DONE and **ORDERED** in Dayton, Ohio, this Eighth Day of July, 2013.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Anthony Bissacco at his last address of record